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PTO/SB/21 (09-04)
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| Total Number of Pages in This Submission | 47 | Attorney Docket Number | EX04-013C-US |
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ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------|----------|--------|
| Firm | EXELXIIS, INC. | | |
| Signature | | | |
| Printed Name | Laleh Shayesteh | | |
| Date | October 13, 2005 | Reg. No. | 47,937 |

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Gendreau *et al.*

Application No.: 10/545,193

Filed: August 10, 2005

For: DYRKs AS MODIFIERS OF THE APC AND AXIN PATHWAYS AND METHODS OF USE

Confirmation No.: 2158

Art Unit: Not Assigned

Examiner: Not Assigned

Attorney Docket No.: EX04-013C-US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

In accordance with 37 C.F.R. §1.97 (g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 C.F.R. §1.56 exists.

In accordance with 37 C.F.R §1.97 (h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is “prior art” or “analogous art” for this invention.

The Commissioner is hereby authorized to charge any required fees, if necessary, to
Deposit No. 50-1108.

Respectfully submitted,

Dated: October 13, 2005

Laleh Shavesteh

Reg. No. 47,937

Tel: (650) 837-8223; Fax: (650) 837-8234



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~Change~~ Patent Application of Gendreau *et al.*

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The GENESEQ® database was queried to identify sequences that are identical or related to the sequences recited in the claims of the above-referenced patent application. The following patent publications were identified:

WO200006728, INCYTE PHARMACEUTICALS, INC., 2000-02-10
US5972606, SmithKline Beecham Corporation, 1999-10-26
US6159716, SmithKline Beecham Corporation, 2000-12-12
WO200073469, SUGEN, INC., 2000-12-07
WO2003031650, BAYER AKTIENGESELLSCHAFT, 2003-04-17
US6323318, SmithKline Beecham Corporation, 2001-11-27
US6001623, SmithKline Beecham Corporation, 1999-12-14
US6365389, SmithKline Beecham Corporation, 2002-04-02

The above-references have not been reviewed to assess whether they are material to the patentability of the claimed invention; nor have they been reviewed to assess whether they are substantively cumulative to the disclosures of the references cited in and provided with the "Information Disclosure Statement by Applicant" filed simultaneously herewith.

Upon request, Applicants will gladly obtain copies of any of these references and forward them to the Examiner for consideration.

Respectfully submitted,

Dated: October 13, 2005

Laleh Shayesteh Reg. No. 47,937
Tel: (650) 837-8223; Fax: (650) 837-8234



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

1

of

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| <i>Complete if Known</i> | |
|--------------------------|--------------|
| Application Number | 10/545,193 |
| Filing Date | 8.10.2005 |
| First Named Inventor | Gendreau |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | EX04-013C-US |

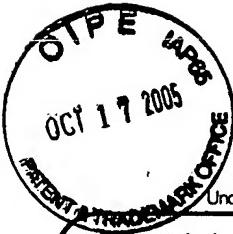
| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|---|--|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| | 1 | Wang,X., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 2 (DYRK2), transcript variant 1, mRNA. GI:5922002 23-SEP-2005 | | |
| | 2 | Wang,X., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 2 (DYRK2), transcript variant 2, mRNA. GI:5922003 23-SEP-2005 | | |
| | 3 | Li,K., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 3 (DYRK3), mRNA. GI:4503428 23-AUG-2004 | | |
| | 4 | Becker,W., et al. Homo sapiens mRNA for protein kinase, Dyrk3. GI:8218089 18-APR-2005 | | |
| | 5 | Lord,K.A., et al. Homo sapiens regulatory erythroid kinase long form (RED) mRNA, alternatively spliced product, complete cds. GI:10441414 25-OCT-2002 | | |
| | 6 | Strausberg,R.L., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 3, transcript variant 2, mRNA (cDNA clone MGC:9059 IMAGE:3913541), complete cds. GI:15930120 07-SEP-2004 | | |
| | 7 | Strausberg,R.L., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 3, mRNA (cDNA clone IMAGE:4822647), complete cds. GI:22713387 28-JUL-2005 | | |
| | 8 | International Human Genome Sequencing Consortium. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 4 (DYRK4), mRNA. GI:20550208 05-JAN-2003 | | |
| | 9 | Becker,W. et al. H.sapiens mRNA for protein kinase, Dyrk4, partial. GI:1669684 18-APR-2005 | | |
| | 10 | Strausberg,R.L., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 4, mRNA (cDNA clone MGC:39640 IMAGE:5266287), complete cds. GI:21411487 28-JUL-2005 | | |
| | 11 | Lorenz,B., et al. Homo sapiens protein-kinase DYRK4 (DYRK4) mRNA, partial cds. GI:9652079 02-AUG-2000 | | |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2 of 2

Attorney Docket Number

Complete if Known

Application Number 10/545,193

Filing Date 8.10.2005

First Named Inventor Gendreau

Art Unit

Examiner Name

| | | | | | |
|-------|---|----|---|------------------------|--------------|
| Sheet | 2 | of | 2 | Attorney Docket Number | EX04-013C-US |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|---------------------|-----------------------|---|----------------|
| | 12 | Zhang,D., et al. Homo sapiens dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 4 (DYRK4), mRNA. GI:28827773 23-SEP-2005 | |
| | 13 | Wang,X., et al. dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 2 isoform 1 [Homo sapiens]. GI:4503427 23-SEP-2005 | |
| | 14 | Wang,X., et al. dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 2 isoform 2 [Homo sapiens]. GI:5922004 23-SEP-2005 | |
| | 15 | Li,K., et al. dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 3 [Homo sapiens]. GI:4503429 23-AUG-2004 | |
| | 16 | International Human Genome Sequencing Consortium. similar to Dual-specificity tyrosine-phosphorylation regulated kinase 4 [Homo sapiens]. GI:20550209 05-JAN-2003 | |
| | 17 | Zhang,D., et al. dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 4 [Homo sapiens]. GI:28827774 23-SEP-2005 | |
| | 18 | Miller C.T. et al. Amplification and overexpression of the dual-specificity tyrosine-(Y)-phosphorylation regulated kinase 2 (DYRK2) gene in esophageal and lung adenocarcinomas. Cancer Res. 2003 Jul 15;63(14):4136-43. | |
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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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